

Limitation of cost  
of constructing  
Waterworks

SEC. 4. The warden is also hereby authorized to contract water works, and laying pipes or otherwise to supply the prison with water, at a cost not to exceed five hundred dollars.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 4, 1864.

## CHAPTER LXII.

### *An Act providing for the establishment of private Cemeteries, and the regulation thereof.*

SECTION 1. Duty of persons desiring to establish private cemeteries.

2. Proprietors of such cemeteries to fix a corner stone or mark from which said survey was made.
3. Map or plat to be certified by the surveyor—what certificate to contain—to be recorded in the office of the Register of Deeds.
4. Every donation to individuals, religious societies, etc., shall be deemed in law a sufficient conveyance.
5. All such lands to be exempt from public taxes, etc.
6. District Court empowered to alter and vacate the same at request of owner.
7. When act to take effect.

*Be it enacted by the Legislature of the State of Minnesota :*

Duty of persons  
desiring to estab-  
lish private ceme-  
teries

SECTION 1. Any person desiring to establish a cemetery upon any lands by such person owned, shall cause the same to be surveyed, and a plat or map thereof made, which shall particularly describe and set forth all the streets, alleys, commons or public grounds, and all the blocks, lots or fractional lots within said cemetery, giving the names, width, extent and courses of all such streets and alleys, and the length and width of all said lots, and the numbers thereof, and the letters or numbers of all said blocks therein.

SEC. 2. The proprietor of such cemetery shall, at

the time of the surveying thereof, plant and fix at some corner thereof, a good and sufficient stone for a mark, from which said survey shall be made and the point where the same may be found, shall be designated on said map or plat.

Proprietors to fix mark from which said survey was made

SEC. 3. Said map or plat, after having been completed, shall be certified to by the surveyor, upon what lands the same is laid out, and the extent and boundaries thereof, and that the same is correct, which said certificate shall be endorsed upon said map and shall be recorded therewith and form a part thereof; and said map or plat shall thereupon be recorded in the register of deeds's office, in the county wherein said lands are situate.

Map to be certified by surveyor—what to contain—to be recorded

SEC. 4. When the plat or map of such cemetery shall have been made out, certified and recorded as required by this act, every donation or grant to the public or to any individual or individuals, religious society or societies, marked or noted on said map or plat, shall be deemed in law and equity a sufficient conveyance to vest the fee simple of all such lands as are therein expressed, and the lands intended to be used for and designated on said map or plat for streets, alleys, ways, commons, or other public uses in any such cemetery, shall be held by such owner in trust to, and for the uses and purposes set forth and intended in and by said map or plat.

Donations to individuals, etc., deemed sufficient conveyance in law

SEC. 5. All land surveyed, and laid out and dedicated as aforesaid, under the provisions of this act, not exceeding, however, eighty acres, shall be exempt from public taxes and assessments, and shall not be liable to levy and sale upon execution, or to be applied in payment of the debts of any such owner thereof, so long as the same remain appropriated to the use of a cemetery, and no street or road shall be laid through such cemetery without the consent of the owner thereof.

Such lands to be exempt from public taxes, etc.

SEC. 6. The district courts of this State are hereby authorized and empowered, upon the application of the owners or proprietors of any cemetery within the proper county, to alter and vacate the same, and the alleys, streets, lots and blocks, any or either thereof, and the map or plat thereof, upon the like notice and in the like manner, and shall require the like proof,

Power of District Court

and shall make the like order thereon, as is required by chapter 26 of the compiled statutes of this State, and the amendments thereto, in relation to town plats now in force.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 4, 1864.

### CHAPTER LXIII.

*An Act to amend an act, entitled "An act to provide for Township Organization," approved February twenty-first, eighteen hundred and sixty.*

SECTION 1. Amendment to Section 9. Judgment against towns, how collected and paid.  
2. When act to take effect.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That section nine, of article thirteen of an act, entitled "an act to provide for township organization," approved February 21st, A.D. 1860, be amended to read as follows :

Judgment against towns, how collected and paid

Section 9. When a judgment shall be or has been heretofore recovered against any town, or against any town officers, in an action prosecuted by or against them in their name of office, when the same shall be paid by the town, no execution shall be awarded or issued upon such judgment, except as herein provided ; such judgment, unless reversed, shall be levied and collected as other town charges, and when so collected shall be paid by the town treasurer to the person in whose favor such judgment was rendered, upon the delivery of a proper voucher therefor ; but if payment